



Attorney Docket No.: 60188-574

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Customer No.20277

Junichi YANO

Confirmation No.: 2494

Serial No.: 10/616,908

Group Art Unit: 2819

Filed: July 11, 2003

Examiner: ANH Q. TRAN

For: DYNAMIC CIRCUIT

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment Hon. Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed November 24, 2004, having a shortened statutory period for response set to expire December 24, 2004, wherein the Examiner required restriction between the following distinct Species:

Group I

- Figures 1 and 14;

Group II

- Figures 4 and 5;

Group III

- Figure 10;

Group IV

- Figure 12.

Applicant elects without traverse, Species group I – (Figures 1 and 14) with claims 1-4 readable thereon, for initial prosecution on the merits. Applicant would like to bring to

Serial No.: 10/616,908

the attention of the Examiner that Applicant considers Figures 2 and 8 also to be included in this Species group.

Applicant also reserves the right to file a Divisional Application for the nonelected claims, which the Examiner has indicated is patentably distinct.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

By:

600 13th Street, N.W., Suite 1200 Washington, DC20005-3096 Telephone: 202 756 8000

Facsimile: 202 756 8087

WDC99 1022057-1.060188.0574